

DECLARATION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ design
☐ supplemental
☐ national stage of PCT
- ☐ divisional
☐ continuation
☐ continuation-in-part

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled _____, the specification of which

- (a) ☐ is attached hereto OR
- (b) ☒ was filed on 02/18/2004 as United States Application Serial No. 10/782,481 and was amended on _____ if applicable
- (c) ☐ was described and claimed in PCT International Application No. _____, filed on _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-parts applications, material information which became available between the filing date of the prior application and the filing date of the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC 119 (a) – (d), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by check the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application of which priority is claimed.

- (d) ☒ no such applications have been filed
- (e) ☐ such application have been filed as follows:

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
None	

I hereby claims the benefit under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned

Direct all correspondence to :

Customer No.

34313

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

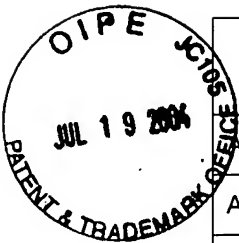
201	FULL NAME OF INVENTOR	FIRST Name Arthur	MIDDLE Initial	LAST Name Telkamp	
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INVENTOR'S SIGNATURE <i>Arthur R. Telkamp</i> Date: 8 JUL 04					

202	FULL NAME OF INVENTOR	FIRST Name Randy	MIDDLE Initial	LAST Name Bindrup	
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INVENTOR'S SIGNATURE <i>Randy Bindrup</i> Date: 7-8-04					

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner	Arthur Telkamp, Randy Bindrup		
Application No./ Patent No.	10/782,481	Filed/Issue Date	02/18/2004
Entitled	LOW-LOSS OPTICAL WAVEGUIDE CROSSOVERS USING AN OUT-OF-PLANE WAVEGUIDE		
Name of Assignee	NEWPORT OPTICOM, INC.		
Type of Assignee (corporation, partnership, university)	Corporation		
states that it is:			
A. <input checked="" type="checkbox"/> the assignee of the entire right, title and interest; or			
B. <input type="checkbox"/> an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is _____ %			
in the patent application/patent identified above by virtue of either:			
A. <input checked="" type="checkbox"/> An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel_____, Frame_____, or for which a copy thereof is attached.			
or			
B. <input type="checkbox"/> A chain of title from the inventors(s), of the patent application/patent identified above, to the current assignee as shown below:			
1. From:_____ To:_____			
The document was recorded in the United States Patent and Trademark Office at Reel_____, Frame_____, or for which a copy thereof is attached			
2. From:_____ To:_____			
The document was recorded in the United States Patent and Trademark Office at Reel_____, Frame_____, or for which a copy thereof is attached			
3. From:_____ To:_____			
The document was recorded in the United States Patent and Trademark Office at Reel_____, Frame_____, or for which a copy thereof is attached			
[] Additional documents in the chain of title are listed on a supplemental sheet.			
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee:			
Signature			
Date	7/16/2004	Typed Name	Mark J. Shean
Telephone	(949) 567-6700	Title	Attorney

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1222 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450.



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